THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

W.P.NO.24001 OF 2005

Dated 11-11-2005

Between:

Smt.T.Padmavathamma

…Petitioner

And

The Depot Manager, APSRTC,

Kurnool and others.

…Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

W.P.NO.24001 OF 2005

ORDER:

The petitioner was employed as Sweeper in Banaganapalle Depot of A.P.S.R.T.C. Disciplinary proceedings were initiated against her by issuing a charge-sheet dated 06-02-2003, on the allegation that she attempted to steal away aluminium scrap pieces, weighing about ½ k.g., by concealing the same in a tiffin box, on 27-01-2003. She was also placed under suspension. The petitioner submitted her explanation, denying the charge.

Respondents appointed an enquiry officer, and after conducting a detailed enquiry, a report dated 24-05-2003 was submitted. The charge framed against the petitioner was held proved. Thereafter, the respondents issued a show cause notice dated 30-06-2003, and on consideration of the explanation, dated 08-07-2003, submitted by the petitioner, the 1st respondent passed an order dated 11-07-2003, removing the petitioner from service. The petitioner preferred an appeal before the 2nd respondent and it was dismissed on 14-08-2003. Thereafter, the petitioner filed review before the 3rd respondent and it was rejected on 10-01-2004. Hence, this writ petition.

Hearned the learned counsel for the petitioner and learned Standing Counsel for the respondents.

Several grounds are urged, touching on the merits of the matter. The petitioner had an effective alternative remedy, by way of raising an industrial dispute before the Labour Court. It would be permissible for the Labour Court, to examine the matter from various angles; whereas this Court cannot re-appreciate the findings on facts.

Therefore, the writ petition is dismissed, leaving it open to the petitioner to raise an industrial dispute. There shall be no order as to costs.

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L. NARASIMHA REDDY,J

Dt.11-11-2005

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